

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34655 of 2022

Arising Out of PS. Case No.-109 Year-2022 Thana- MASAUDHI District- Patna

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Sonu Kumar @ Sonu Kumar Yadav Son of Mantu Yadav @ Arbind Kumar
Resident of Village - Mallikana, near Govt. Hospital, P.O. and P.s.- Masaurhi,
Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 307 and 34 of the Indian Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that petitioner has antecedent of five cases and the informant alleges that on 03.03.2022 at about 3:30 pm when he came out of Registry Office at Masaudhi, four named accused persons, including the petitioner, along with four unknown motorcycle borne criminals came and it is alleged that petitioner fired upon the informant but informant managed to save himself and



reached the police station.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case because of his antecedents, the FIR does not disclose the reason for the occurrence which creates doubt with regard to the veracity of the allegations, it is further submitted that no occurrence takes place without any motive, it is also submitted that though it is alleged that petitioner fired but then no one was injured which further creates doubt with regard to the genuineness of the allegation. Learned counsel submits that petitioner will cooperate in the investigation and will not evade the law and will present himself as and when required by the Investigating Officer of the case for arriving at the truth.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the



case is pending/successor court in connection with Masaurhi P.S. Case No. 109 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving an undertaking before this Court that he will cooperate in the investigation and will present himself as and when required, is not cooperating in the investigation or is not appearing when called, the learned trial court after giving an opportunity of hearing to the petitioner shall pass orders in accordance with law and will have the liberty to cancel the bail bonds of the petitioner.

The learned trial court is directed to send a copy of this order to the concerned Police Station.

(Satyavrat Verma, J)

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